



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

HOUSE STANDING COMMITTEE ON REGULATORY REFORM

Wednesday, September 16th, 2015 12:00 Noon Room 519 House Office Building

Representative Ray A. Franz, Chair, called the meeting to order.

Chair Franz requested attendance be called to establish a quorum of the appointed committee members:

Present: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Absent: None,

Excused: None.

Representative Brett Roberts moved to approve the minutes of the September 9th, 2015 meeting.

There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4792 before the committee:

HB 4792 (Wittenberg)	Health occupations; physicians; team physicians accompanying athletic teams to sporting events in this state; provide licensing waiver.
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Representative Wittenberg introduced the bill. Questions and discussion followed.

The following people submitted testimony cards in support of the bill but did not wish to speak:

Bill Kandler, representing the Michigan Orthopedic Society

Frank Waters, representing the Michigan Department of Licensing and Regulatory Affairs

The Chair laid HB 4598 before the committee:

HB 4598 (McBroom)	Health occupations; health care professionals; midwives; provide for licensing and regulation.
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A substitute (H-1) was adopted on June 10th, 2015.

Representative Brett Roberts moved to adopt substitute (H-2) for HB 4598. The motion prevailed by a vote of 13-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Chirkun, and Moss,

Nays: None,
Pass: None.

Representative Brett Roberts offered the following amendment to HB 4598 substitute (H-2):

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 16192. (1) A licensee or registrant shall report to the department a change in name, ~~or mailing address,~~ **OR ELECTRONIC MAIL ADDRESS IF THE LICENSEE OR REGISTRANT HAS PROVIDED AN ELECTRONIC MAIL ADDRESS UNDER SUBSECTION (4),** not later than 30 days after the change occurs.

(2) The department may serve a notice of hearing or a complaint on an applicant, licensee, or registrant in an action or proceeding for a violation of this article, article 7, or article 8 or a rule promulgated under this article, article 7, or article 8 by regular mail and by certified mail, return receipt requested, to the applicant's, licensee's, or registrant's last known address, by serving the notice on the applicant, licensee, or registrant, or by making a reasonable attempt to serve the notice on the applicant, licensee, or registrant. For purposes of this subsection, if service is by mail, service is effective 3 days after the date of mailing, and nondelivery does not affect the validity of the service if the nondelivery was caused by the refusal of the applicant, licensee, or registrant to accept service.

(3) A license or registration is not transferable.

(4) IF THE DEPARTMENT IS REQUIRED OR PERMITTED UNDER THIS ARTICLE TO DELIVER OR SERVE A NOTICE OR OTHER COMMUNICATION TO A LICENSEE OR REGISTRANT BY MAIL, THE DEPARTMENT MAY DELIVER OR SERVE THAT NOTICE OR COMMUNICATION BY ELECTRONIC MAIL RATHER THAN BY FIRST-CLASS MAIL IF THE LICENSEE OR REGISTRANT HAS PROVIDED AN ELECTRONIC MAIL ADDRESS TO THE DEPARTMENT; AUTHORIZED THE DEPARTMENT IN WRITING TO DELIVER OR SERVE NOTICES AND COMMUNICATIONS TO THE LICENSEE OR REGISTRANT AT THAT ELECTRONIC MAIL ADDRESS; AND AGREED IN WRITING THAT THE LICENSEE OR REGISTRANT CONSENTS TO THE SERVICE OF ANY NOTICE OR COMMUNICATION SENT TO THAT ELECTRONIC MAIL ADDRESS THAT THE DEPARTMENT WOULD OTHERWISE SERVE BY MAIL.

Sec. 16201. (1) A license or registration shall be renewed by the licensee or registrant on or before the expiration date as prescribed by rule. The department shall mail a notice to the licensee or registrant at the last known address on file with a board, **OR MAY SEND THAT NOTICE BY ELECTRONIC MAIL TO A LICENSEE OR REGISTRANT DESCRIBED IN SECTION 16192(4),** advising of the time, procedure, and fee for renewal. Failure of the licensee or registrant to receive notice under this subsection does not relieve the licensee or registrant of the responsibility for renewing his or her license or registration.

(2) A license or registration not renewed by the expiration date may be renewed within 60 days of the expiration date upon application, payment of renewal, and late renewal fees, and fulfillment of any continued competency or continuing education requirements set forth in this article or rules promulgated under this article. The licensee or registrant may continue to practice and use the title during the 60-day time period.

(3) If a license or registration is not renewed within 60 days of the expiration date pursuant to subsection (2), the license or registration shall be considered null and void. The licensee shall not practice or use the title and a registrant shall not use the title. Except as otherwise provided by rule, a person may be relicensed or reregistered within 3 years of the expiration date upon application, payment of the application processing, renewal, and late renewal fees, and fulfillment of any continued competency or continuing education requirements in effect at the time of the expiration date, or which would have been required had the individual renewed his or her license or registration pursuant to subsection (1). A temporary license or registration may be issued under section 16181 pending the results of action taken under this subsection.

(4) Except as otherwise provided in this article or by rule, a person may be relicensed or reregistered more than 3 years after the expiration date upon application as a new applicant,

meeting all licensure or registration requirements in effect at the time of application, taking or retaking and passing any examinations required for initial licensure or registration, and payment of fees required of new applicants.

(5) The expiration or surrender of a license or registration does not terminate the board's authority to impose sanctions on the licensee or registrant whose license or registration has expired or been surrendered."

Representative Brett Roberts moved to adopt the amendment to HB 4598 substitute (H-2). The motion prevailed by a vote of 13-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Chirkun, and Moss,

Nays: None,

Pass: None.

Representative McBroom and Frank Waters, representing the Michigan Department of Licensing and Regulatory Affairs, testified on the bill. Questions and discussion followed.

The following people submitted testimony cards in opposition to the bill but did not wish to speak:

Amanda West, representing Planned Parenthood Advocates of Michigan

Christine Shearer, representing the Michigan Association of Health Plans

Bill Kandler, representing the American Congress of Obstetrics and Gynecology

Representative Dianda moved to report HB 4598 (H-2) with recommendation as amended, as substitute (H-3). The motion prevailed by a vote of 12-0-2

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Schor, Chirkun, and Moss,

Nays: None,

Pass: Reps. Kesto and Lane.

The Chair laid HB 4636 before the committee:

HB 4636 (Rendon)	Occupations; insurance; sale of insurance for self-service storage units; eliminate license requirement.
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Representative Brett Roberts offered the following amendments to HB 4636:

1. Amend page 6, line 16, after "IS" by striking out "SOLD" and inserting "PROVIDED".
2. Amend page 6, line 16, after "GROUP" by striking out the comma and "COMMERCIAL,".

Representative Brett Roberts moved to adopt the amendments for HB 4636. The motion prevailed by a vote of 14-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor, Chirkun, and Moss,

Nays: None,
Pass: None.

Gabe Basso, representing the Michigan Department of Insurance and Financial Services testified on the bill.

The following person submitted a testimony card in opposition to the bill but did not wish to speak:

Scott Hummel, representing the Michigan Association of Insurance Agents

Representative Brett Roberts moved to report HB 4636 with recommendation as amended, as substitute (H-1). The motion prevailed by a vote of 13-1-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor, Chirkun, and Moss,
Nays: Rep. Yonker,
Pass: None.

The Chair laid HB 4581 before the committee:

HB 4581 (Crawford)	Liquor; authorized distribution agents; cap on the per case fee that the commission pays to a vendor to offset cost of vendor contracting with an authorized distribution agent; eliminate.
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The following people submitted testimony cards with a neutral position on the bill but did not wish to speak:

Kerry Krone, representing the Michigan Liquor Control Commission
Julie Wendt, representing the Michigan Liquor Control Commission

Representative Crawford moved to adopt substitute (H-1) for HB 4581. The motion prevailed by a vote of 14-0-0.

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor, Chirkun, and Moss,
Nays: None,
Pass: None.

Representative Crawford moved to report HB 4581 with recommendation, as substitute (H-1). The motion prevailed by a vote of 14-0-0

FAVORABLE ROLL CALL:

Yeas: Reps. Franz, Brett Roberts, Yonker, Kesto, Lauwers, Crawford, Garcia, Iden, Dianda, Darany, Lane, Schor, Chirkun, and Moss,
Nays: None,
Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting the time being 12:48 p.m.

Representative Franz, Chair

Matthew Carnegie
Committee Clerk
September 16th, 2015
48 minutes

Date Approved and Signed